

**SENT VIA EMAIL**

July 2, 2014

Lamoin Werlein-Jaen  
Business Agent  
IFPTE Local 21

John Mukhar  
President  
Association of Engineers and Architects (AEA)  
IFPTE Local 21

Steve Contreras  
President  
Association of Maintenance Supervisory  
Personnel (AMSP), IFPTE Local 21

Kara Capaldo  
President  
City Association of Management Personnel  
(CAMP), IFPTE Local 21

Jim Unland  
President  
San Jose Police Officers' Association (SJPOA)

Joel Phelan  
President  
San Jose Fire Fighters, IAFF, Local 230

Yolanda Cruz  
President  
Municipal Employees' Federation (MEF)  
AFSCME Local 101

LaVerne Washington  
President  
Confidential Employees' Organization (CEO),  
AFSCME Local 101

Peter Fenerin  
President  
Association of Building, Mechanical and  
Electrical Inspectors (ABMEI)

William H. Pope  
Business Representative  
International Union of Operating Engineers,  
Local No. 3 (OE#3)

Sal Ventura  
Assistant Business Manager  
International Brotherhood of Electrical  
Workers, Local No. 332 (IBEW)

Vera Todorov  
President  
Association of Legal Professionals (ALP)

Charles Allen  
Business Agent  
AFSCME Local 101

Frank Crusco  
Chief Steward  
International Brother of Electrical Works, Local  
No. 332 (IBEW)

**Re: Public Labor Negotiations**

Dear Bargaining Unit Representatives:

As you may know, during the June 11<sup>th</sup> Rules and Open Government Committee meeting, there was discussion surrounding a ballot measure for the November 2014 election which would mandate that labor negotiations be open to the public.

We have in the past agreed to make labor negotiations open to the public on a case by case basis as part of an agreement with a particular bargaining unit. We believe that a requirement that labor negotiations be public is a ground rule, which is a mandatory subject of bargaining. The City Council has not decided whether or not to pursue this ballot measure; however, they have directed staff to discuss this with the City's bargaining units and to bring this item back to the City Council on August 5, 2014, in consideration for the November 2014 ballot. Attached is what the ballot measure would look like if there was a decision to proceed.

Please let us know by July 15, 2014, your thoughts about a requirement in the City Charter that all labor negotiations be open to the public.

We look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Alex Gurza', with a long horizontal flourish extending to the right.

Alex Gurza  
Deputy City Manager

c: Jennifer Schembri, Deputy Director of Employee Relations

## **Draft Ballot Language for Public Labor Negotiations**

### **Section 1112**

Any meeting of one or more agents, representatives, or officers of the City with any agent or officer of any employee organization to negotiate wages, hours, or any other term or condition of employment subject to meet and confer under state law shall be open and public and all persons shall be permitted to attend and listen to the deliberations of any such meeting, except as otherwise provided by state or federal law. All physical or electronic records of communications, discussions or consultations between any representative, agent or officer of the City and any representative, agent or officer of any employee organization shall be considered a public record, except as otherwise provided by state or federal law.